REMARKS

I.   INTRODUCTION

In response to the Office Action dated November 27, 2006, claims 1, 11, and 21 have been amended. Claims 1, 3-11, 13-21, and 23-30 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, is requested.

III.   PRIOR ART REJECTIONS

On page (6) of the Office Action, claims 1, 3-6, 9, 11, 13-16, 19, 21, 23-26, and 29 were rejected under 35 U.S.C. §102(e) as being anticipated by Janssen et al., U.S. Patent No. 6,512,529 (Janssen). On page (10) of the Office Action, claims 8, 10, 18, 20, 28, and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Janssen and Wandersleben et al., U.S. Patent No. 6,583,390 (Wandersleben). On page (11) of the Office Action, claims 7, 17, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Janssen and Wandersleben and also over Microsoft Word 2000 application (MSWord).

Specifically, the independent claims were rejected as follows:

> Specifically regarding claims 1, 11, and 21, Janssen teaches: displaying a window of a currently active application on a display device; determining a location of a cursor with respect to the window; making the window, or portions thereof, invisible in response to moving the cursor from within the window to outside of the window without depressing a button of the window; and displaying the complete window again in response to moving the cursor from outside of the invisible window to within the extent of the invisible window without depressing a button of the window (for example, see column 2, line 33 – column 3, line 20; column 4, line 56 – column 5, line 9). Janssen further teaches that, instead of making the entire window invisible, only a title bar of the window may be displayed (for example, see column 2, line 59 – column 3, line 4). Such a displayed window, only comprising a title bar, is considered a collapsed version of the window like claimed. Moreover, as Janssen discloses that the complete window is displayed in response to moving the cursor from outside of the invisible window to anywhere within the invisible window (e.g. its title bar) – and that no further movement or positioning of the cursor is required – Janssen further teaches displaying the complete window in response to the cursor moving *only* from outside of the collapsed version of the window to within the title bar of the collapsed version of the window without pressing a button of the window. As asserted above, it is understood that such teachings may apply to dialog windows, a well-known type of window in the art. Accordingly, Janssen teaches a computer-implemented method for collapsing a dialog window of an application, the method comprising: displaying a complete dialog window of a currently active application on a display device; determining a location of a cursor with respect to the dialog window; displaying a collapsed version of the dialog window in response to the cursor moving from within the complete dialog window to outside of the complete dialog window without depressing a button of the dialog window, wherein the display of the collapsed version of the dialog window consumes a smaller area of the display device than the complete dialog window and wherein the collapsed version of the dialog window comprises a title bar of the dialog window; and displaying the complete dialog window in response to the cursor moving only from outside of the collapsed version of the dialog window to within the title bar of the collapsed version of the dialog window without depressing a button of the dialog window, like recited in claim 1. Janssen further discloses that such teachings may be implemented as software, presumably stored in computer

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memory and executed by a computer (see column 4, lines 5-40). Such computer memory comprising software to implement the teachings of Janssen is considered an "article of manufacture," like described in claim 11. A computer executing the software in order to implement the teachings of Janssen is considered a system like that described in claim 21.

Further, in response to the prior amendment and response, the Office Action asserts:

> In addition, the Examiner respectfully notes that the placement of "only" within the phrase is significant to the scope and meaning of the claims. For example, a recitation of "displaying the complete dialog window <u>only</u> in response to the cursor moving from outside of the collapsed version of the dialog window to within the title bar of the collapsed version of the dialog window" requires the cursor to be moved into the title bar in order for the complete version of the window to be displayed. However, "displaying the complete dialog window in response to the cursor moving <u>only</u> from outside of the collapsed version of the dialog window to within the title bar of the collapsed version of the dialog window" - as is currently recited -entails displaying the complete dialog window in response to moving the cursor into the title bar of the collapsed version of the dialog window, without any further movement, but does not require that such cursor movement be the only way to bring about the collapsed version of the window. That is, it is within the scope of the claim for other cursor movements (i.e. moving the cursor anywhere within the extent of the collapsed version of the dialog window, as Janssen teaches) to bring about the dialog window.

Applicants appreciate the indication of the suggested claim terminology. In accordance with this language, Applicants have amended the claims to provide that the complete dialog window is displayed <u>only</u> in response to the cursor moving from outside of the collapsed versino of the dialog window to within the title bar of the collapsed version of the dialog window. Such language clearly illustrates that the complete dialog window cannot be displayed merely by moving the cursor within the extent of the complete dialog window (as set forth in Jannsen).

In view of such amendments and the previously submitted arguments, Applicants submit that the claims are now in condition for allowance.

In addition to the arguments with respect to the independent claims, Applicants set forth various arguments with respect to dependent claim 7 in the prior response. Such arguments follow:

In addition to the differences between the independent claims and Janssen, the dependent claims provide further advantages. For example, dependent claim 7 is directed towards the focus of the window wherein when the collapsed version of the window is displayed, the focus reverts to and the user is able to continue working in another window of the application without any additional action by the user. There is not even a remote suggestion of such a teaching in Janssen. In this regard, Janssen teaches away from such a limitation. For example, since Janssen teaches to merely display the background radar information that does not have any user interaction, there would be no

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need to revert the focus to the background radar – there would be no reason or rationale for such a focus. Further, the user would be incapable of working in Janssen's background since the complete opaque window would be displayed as soon as the cursor moved into the area thereby returning the focus to the front informational window (see FIGS. 2-4 of Janssen).

The Office Action relies on Microsoft Word 2000 to teach the limitations of claims 7, 17, and 27. However, in view of the teaching away by Janssen, there would be no reason or rationale to combine Janssen with Microsoft Word 2000. The claims are specific in their use and limitations. Microsoft Word 2000 lacks numerous aspects of the claims and cannot be combined with Janssen. Again, Janssen teaches away from focusing on the background radar or another window. Accordingly, there would be no use or desire to change the focus as suggested in the Office Action or in Microsoft Word 2000.

In response to the above arguments, the prior final Office Action states that the Examiner disagrees and provides that the implementation described in Janssen is merely an example and it is understood that Janssen's teachings can be used in a plurality of environments, including those where background or other windows require user interaction. The final Office Action states that such teachings may be implemented within Microsoft Windows or Apple MacO/S operating systems, which may comprise background windows that require user input.

Applicants respectfully disagree with and traverse such assertions. The Office Action relies on col. 4, lines 20-40 for support of its assertion that it can be implemented in a Windows or Mac O/S. Col. 4, lines 20-40 explicitly provides that Janssen manages space where there is information in background windows that occupies large portions of the display surface and numerous information windows overlaying it. Again, this portion of Janssen explicitly and expressly provides that information is merely displayed in such windows. There is no hint or suggestion that any of the windows would require user interaction whatsoever. As stated above, it is not possible to use Janssen's invention to modify the focus. In the example provided (which is the only example recited and set forth in Janssen's figures, as soon as the user moves within the extent of the window, the opaque window is displayed once again. Thus, in Janssen, if the user did attempt to work in a background window that was within the extent of the opaque window, it would not be possible. Instead, every time the user would move the cursor into the background window, the opaque window would be displayed. Thus, the focus could never revert to the background windows.

Applicants again reassert that there is no teaching or suggestion, remote or otherwise, relating to the focus of background windows in Janssen. In this regard, the Office Action is extending far beyond the explicit teaching of Janssen without any support from the actual teaching of Janssen. Further, Janssen fails to even allude to any other examples or types of information that may be used in Janssen's invention. Instead, the Office Action is merely relying on a vague operating environment based description that states Janssen can be used on various operating systems. Regardless of the operating system in which Janssen may be installed, the teaching of Janssen does not change. Instead, there is no need to change the focus and it would be illogical to modify the focus of Janssen's windows because as soon as the cursor is moved back anywhere within the extent of the window, the old opaque window is displayed once again. Such a teaching teaches away from the assertion in the Office Action.

Again, the use of Word is wholly without merit. The MPEP §706.02(j) provides that "there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." There is no motivation within either reference to use Word in a user interface management system of Janssen and vice versa. Further, the Office Action fails to recite a motivation. Instead, the Action merely states that it would have been obvious to one of ordinary skill in the art to automatically revert focus of the windows in Jansset as taught by Word, in order to eliminate the need to click on the window to restore focus. Applicants note that such an assertion fails to provide a motivation to combine. Further, the elimination of the "need to click on the window to restore focus" would not work in Janssen. Instead, every time the user merely moved the cursor within the extent of Janssen's window the large opaque window would be displayed once again. Thus, the need to click on the window to restore focus does not even exist in Janssen. Further, such an elimination of the need relies on impermissible hindsight offered by the teaching of the present invention.

In addition, the prior Advisory Action indicates that a window with focus may simply be a window that is predominantly displayed. Applicants respectfully disagree. There is no foundation or rationale that supports such an interpretation of the word focus as used in the claims and set forth in the specification. Stating that a window with focus is merely a predominantly displayed window would not only lack support in the specification but would be indefinite because it would be

unclear what predominant is. Further, the claims provide for reverting focus to another window. Further, in view of recent case law, it is improper to look to definitions outside of the scope of the present specification for a definition of a term. Nonetheless, in an attempt to provide more clarity, Applicants have amended these dependent claims to provide that the focus reverts to and the user continues to work in the other window without additional action by the user. Such claim language clearly differentiates a window that is merely predominantly displayed from those used in the present invention.

In addition, Applicants note that Ording (U.S. Patent No. 6,396,520) also fails to cure the deficiencies of the cited prior art. In this regard, Ording merely describes the minimization of a window to an icon via a set of various curves (see FIGs. 2A-2F and col. 3, line 26-col. 5, line 29). In another embodiment of Ording, a window slides out to a different size also based on a specific set of curves (see FIGs. 3A-3F and col. 5, line 30-col. 6, line 14). What is notoriously absent from Ording is any description whatsoever of the cursor movements or detailed steps of the presently claimed invention that allow Ording's window to slide out or shrink back. Instead, the only reference has to how to initiate the sliding window movement is in col. 6, lines 34-42:

> FIG. 6 depicts the steps associated with a method that might be employed to implement, for example, the window minimization/maximization technique shown in FIGS. 2A-2F. As shown in step 605, the method begins, of course, with an initiation step. Typically, this is accomplished by the user through the selection of an on-screen button, using a cursor control device, which may be physically associated with the window being minimized/maximized or by the user depressing one or more keys on a keyboard.

As can be seen from this text, buttons must be used to trigger the sliding window movement. Such actions are directly contrary to that required by the present claims and inconsistent with any of the other cited art. Further, there is no reason or motivation to combine Ording with the previously cited art.

In response to the above arguments, the present final Office Action provides:

> Regarding dependent claim **7**, the Applicant argues that Janssen teaches away from changing the focus to another window, as is claimed, since Janssen does not describe windows which require user input, and since positioning a cursor in a portion of such a window covered by a collapsed (i.e. invisible) window would cause the collapsed window to reappear, and thus prohibit input into the covered window. ,In response, the Examiner respectfully submits that the Applicant's arguments ignore the fact that the U.S. Patent of Wandersleben (U.S. Patent No. 6,583,390 to Wandersleben et al.) was also applied in the previous Office Action to reject claim 7 (see e.g. pages 5 and 12-13 of the Office Action mailed 6/13/2006). That is, implementing the collapsible windows of Janssen within an application like that of Wandersleben, which requires input in windows covered by dialog boxes, is applicable to a teaching of reverting focus to an underlying window (e.g. Word). The Applicant's

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arguments with respect to claim 7 are thus moot in view of the grounds of rejection applied, but not considered by the Applicant.

Moreover, and for the sake of argument, the Examiner again respectfully asserts that the radar implementation described by Janssen is merely an example, and it is understood that the teachings of Janssen may be implemented in a plurality of environments, including those where background or other windows require user interaction. Such applications are notoriously well known in the art. Also, in response to the Applicant's arguments that positioning a cursor in a portion of a window covered by a collapsed (i.e. invisible) window would cause the collapsed window to reappear, the Examiner respectfully submits that the user often times would not need to position the cursor in the window. That is, there are other methods in which a user could work in such a window (e.g. keyboard input) which would not result in the collapsed window reappearing and covering the user's work. The Applicant's argument is irrelevant regarding such cases.

Further regarding claim 7, the Applicant argues that there would be no motivation to combine Janssen with Word (Microsoft Word 2000) as done in the previous Office Action. The Examiner, however, respectfully disagrees. Word clearly demonstrates the advantages of automatically reverting focus to a background window when a window covering the background window is collapsed: the user is more efficiently able to input information into the background window, since he or she does not need to select the background window to bring it into focus and allow to user to enter information into the window (e.g. text via keyboard input). Such a teaching is directly applicable to' Janssen and Wandersleben.

Applicants respectfully disagree with and traverse such an assertion. With respect to the teaching away argument, Applicants submit that since Janssen teaches away from the reverting of focus, Janssen cannot be combined with a reference that describes such a reversion. In this regard, Applicants note that under MPEP 2141.02, the prior art must be considered in its entirety including disclosures that teach away from the claims. Further, under MPEP 2143.01, the modifications or use of Janssen in the manner suggested by the Examiner would in fact render Janssen unsatisfactory for its intended purpose and would change the principle of operation of Janssen. In this regard, since Janssen in fact teaches away from the reverting of focus as described above, Janssen cannot be used in a manner inconsistent with such a teaching. Further, if combined with a reference that teaches such a reversion of focus, Janssen would not work. For example, at col. 1, lines 41-50 describe the purpose and intent of Janssen:

However, there is a class of applications where the information in the windows changes dynamically independently of operator intervention. For example, in an Air Traffic Control display, one window may contain a geographic view of the airspace in which aircraft are plotted on the display according to their current position based on radar reports. Another window may have a dynamically changing table summarizing details about each aircraft including information such as current speed and altitude, which is updated based on radar reports.

As can be seen from this text, there is no need to focus on the window or to allow the user to work in the window since the information in the window changes dynamically independently of the operator intervention. In an air traffic control display, if the user were to change the information, the change could result in catastrophic error (e.g., an airline accident). As a result, as

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can be seen throughout Janssen, Janssen explicitly teaches the lack of focus on the underlying window. Further, as described above, Janssen explicitly teaches that if the cursor is moved within an extent of a window, the window is displayed again - thus, it would be impossible to revert focus to a window underneath the extent of a different window.

The Office Action asserts that Wandersleben was applied and describes the use of dialog boxes. Applicants note that Wandersleben merely describes the shrinking and use of windows as is known in the prior art. Such a minimizing or closing of windows to access another window is not even remotely similar to that of the presently claimed invention. In fact, Applicants note that the final Office Action explicitly provides that "Neither Janssen nor Wandersleben, however, explicitly discloses that the focus is reverted to the underlying window without additional actino by the user when the collapsed version of the dialog window is displayed…" Thus, contrary to that asserted by the Examiner, Applicants did consider the use of Wandersleben but agreed with the Examiner's conclusion that Wandersleben failed to teach the invention as claimed. As a result thereof, Applicants addressed the use of the Word reference that was used to support the conclusory statement that such functionality is well known in the art.

The final Office Action again asserts that the radar implementation of Janssen is merely an example and that applications are notoriously well known in the art. The Examiner further assertst that there are often times in which a user could work in a window (e.g., keyboard input) which would not result in the collapsed version reappearing and covering the user's work. Again, as stated above, Janssen would not have any use for focus reverting to the background window since Janssen explicitly provides that such information is updated dynamically independently of operator intervention. Accordingly, the Examiner is setting forth an assertion without any support in the reference or art. Such a conclusory allegation is wholly without merit and improper.

The final Office Action continues and provides that Word clearly demonstrates the advantages of automatically reverting focus to a background window when a window covering the background window is collapsed. Such an argument completely disregards and ignores the fact that there is no suggestion or motivation to combine Word with Janssen. Applicants direct the attention of the Examiner to the arguments above in this regard. Further, Applicants submit that the combination of Word with Janssen would be inoperable and could not work as asserted in the final Office Action.

Thus, Applicants assert that the various elements of Applicant's claimed invention together provide operational advantages over the systems disclosed in Janssen, Wandersleben, and MSWord. In addition, Applicant's invention solves problems not recognized by Janssen, Wandersleben, and MSWord.

Thus, Applicant submits that independent claims 1, 11, and 21 are allowable over Janssen, Wandersleben, and MSWord. Further, dependent claims 3-10, 13-20, and 23-30 are submitted to be allowable over Janssen, Wandersleben, and MSWord in the same manner, because they are dependent on independent claims 1, 11, and 21, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 3-10, 13-20, and 23-30 recite additional novel elements not shown by Janssen, Wandersleben, and MSWord.

IV.   CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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